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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Anja EITRICH et al.

Confirmation No. 2748

Group Art Unit: 1796

Serial No. : 08/930,235

Examiner: Metzmaier, Daniel S

Filed : February 23, 1998

For : COSMETIC OR PHARMACEUTICAL MICROEMULSIONS

TERMINAL DISCLAIMER

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Your petitioner, **BEIERSDORF AG**, a corporation organized and existing under the laws of Germany, whose business address is Unnastrasse 48, D-20245 Hamburg, GERMANY, represents that it is the owner of record of the entire right, title and interest of the above-identified application by virtue of an assignment recorded in the U.S. Patent and Trademark Office on February 23, 1998 at Reel 009152, Frame 0938, of U.S. Patent No. 6,468,551, by virtue of an assignment recorded in the U.S. Patent and Trademark Office on June 18, 1999 at Reel 010031, Frame 0516, and of U.S. Patent No. 6,607,733, by virtue of an assignment recorded in the U.S. Patent and Trademark Office on January 20, 1998 at Reel 009152, Frame 0971.

The undersigned representative is authorized to act on behalf of the assignee, and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee.

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Your petitioner, **BEIERSDORF AG**, hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. 6,468,551 and beyond the expiration date of U.S. Patent No. 6,607,733, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,468,551 and the legal title to U.S. Patent No. 6,607,733, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of U.S. Patent No. 6,468,551 and U.S. Patent No. 6,607,733 in the event that any of these patents: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the failure of common ownership stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States

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Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,
BEIERSDORF AG

By

Name: Dr. Jochen Wilke

Senior Patent Counsel
Title

November 9, 2009

BDF 00000

Beiersdorf AG

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